

By the Committees on Governmental Oversight and Accountability;
and Regulated Industries

585-02357-24

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1 A bill to be entitled
2 An act relating to review under the Open Government
3 Sunset Review Act; amending s. 24.1051, F.S., relating
4 to an exemption from public records requirements for
5 certain information held by the Department of the
6 Lottery, information about lottery games, personal
7 identifying information of retailers and vendors for
8 purposes of background checks, and certain financial
9 information held by the department; providing for
10 future legislative review and repeal of an exemption
11 from public records requirements for information
12 relating to the security of certain technologies,
13 processes, and practices; removing the scheduled
14 repeal of an exemption; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Subsection (1) of section 24.1051, Florida
19 Statutes, is amended to read:

20 24.1051 Exemptions from inspection or copying of public
21 records.—

22 (1) (a) The following information held by the department is
23 confidential and exempt from s. 119.07(1) and s. 24(a), Art. I
24 of the State Constitution:

25 1. Information that, if released, could harm the security
26 or integrity of the department, including:

27 a. Information relating to the security of the department's
28 technologies, processes, and practices designed to protect
29 networks, computers, data processing software, data, and data

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30 systems from attack, damage, or unauthorized access. This sub-
31 subparagraph is subject to the Open Government Sunset Review Act
32 in accordance with s. 119.15 and shall stand repealed on October
33 2, 2027, unless reviewed and saved from repeal through
34 reenactment by the Legislature.

35 b. Security information or information that would reveal
36 security measures of the department, whether physical or
37 virtual.

38 c. Information about lottery games, promotions, tickets,
39 and ticket stock, including information concerning the
40 description, design, production, printing, packaging, shipping,
41 delivery, storage, and validation of such games, promotions,
42 tickets, and stock.

43 d. Information concerning terminals, machines, and devices
44 that issue tickets.

45 2. Information that must be maintained as confidential in
46 order for the department to participate in a multistate lottery
47 association or game.

48 3. Personal identifying information obtained by the
49 department when processing background investigations of current
50 or potential retailers or vendors.

51 4. Financial information about an entity which is not
52 publicly available and is provided to the department in
53 connection with its review of the financial responsibility of
54 the entity pursuant to s. 24.111 or s. 24.112, provided that the
55 entity marks such information as confidential. However,
56 financial information related to any contract or agreement, or
57 an addendum thereto, with the department, including the amount
58 of money paid, any payment structure or plan, expenditures,

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59 incentives, bonuses, fees, and penalties, shall be public
60 record.

61 (b) This exemption is remedial in nature, and it is the
62 intent of the Legislature that this exemption apply to
63 information held by the department before, on, or after May 14,
64 2019.

65 (c) Information made confidential and exempt under this
66 subsection may be released to other governmental entities as
67 needed in connection with the performance of their duties. The
68 receiving governmental entity shall maintain the confidential
69 and exempt status of such information.

70 ~~(d) This subsection is subject to the Open Government~~
71 ~~Sunset Review Act in accordance with s. 119.15 and shall stand~~
72 ~~repealed on October 2, 2024, unless reviewed and saved from~~
73 ~~repeal through reenactment by the Legislature.~~

74 Section 2. This act shall take effect October 1, 2024.